

REMARKS

By the entry of this amendment, claims 1, 5, 8, 10 and 12 will remain pending in this application for which applicants seek reconsideration. The claims have been amended to improve the clarity of the claim language. Applicants submit entry of the amendment would not require further search or consideration by the examiner. Further, entry of the amendment would reduce the number of issues on appeal by the cancellation of several claims. Accordingly, entry of the amendment and reconsideration of the final rejection of the claims is respectfully requested.

Claims 1, 5, 8, 10 and 12 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Rajan et al. in view of Shirriff. Applicant respectfully traverses the rejection.

Rajan et al. refers to updated data stating "In step 73 then, the new data overwrites the old data. Data obtained through the service may be routinely and periodically updated in a push or pull fashion" (See col. 12, lines 15-18 and FIG. 3). However, Rajan et al. does not disclose or suggest displaying accumulated multiple differences of data, which correspond with multiple updates, in order of the updates as notification content.

Sawada et al. describes that when updating the location area ID for identifying the location areas are given to the respective location areas for identifying the location areas, a data update notification are generated (col. 7, lines 49-50 and col. 11, line 66 to col. 12, line 6 and Fig. 17). Sawada et al. further describes that "an area indicating a position of the mobile communication terminal 90 is called a location area" (see col. 7, lines 18-19). Sawada et al., as well as Rajan et al., does not disclose or suggest displaying accumulated multiple differences of data, which correspond with multiple updates, in order of the updates as a notification content.

Further, the Examiner states that Sawada et al. describes "a data update notification including the updated mobile communication terminal ID of the mobile communication terminal 90, the location area ID as the type of the updated data, the value "#102" of the location area ID before the data update and the value "#202" of the location area ID after the data update; [col. 27, lines 33-46]". However, the description merely corresponds to the arrow indicating step S115 shown in the FIG. 29A. More specifically, in the step S115, a programming interface 66 certainly provides an information including the location area IDs before and after updating (that is "#102→#202") to an advanced processing unit 67, but in step S113 immediately preceding the step S115, the advanced processing unit 67 has already identify the value of the updated

location area ID (that is "#202"). Accordingly, the information provided in the step S115 merely indicates finishing an operation of data update performed by a mobility control unit 65 in step S114.

Accordingly, the examiner has incorrectly interpreted that Sawada et al. places the accumulated differences in the notification content in order of the updates. The examiner refers to the portion of Sawada that discusses the updating of location area ID data from #103 to #202. It seems the examiner thinks that #103 and #202 are somehow related to the number of updates, but these numbers simply represent the locations ID before and after the update. The location before the update is #103 and the location after the update is #202.

The examiner is respectfully reminded that the burden of establishing a prima facie case of obviousness under 35 U.S.C. § 103 is with the examiner. Further, the PTO's own examination guidelines require that the examiner distinctly set forth facts and reasoning as to why one of ordinary skill in the art would consider the combination of references to render the claims obvious. In the present case, both of the cited references are lacking a key element of the claims at issue. The examiner has failed to establish a sufficient factual basis with supporting reasoning as to how one of ordinary skill in the art would arrive at the claimed invention when the references fail to disclose or suggest a key element thereof. Without providing such supporting factual basis and reasoning, the examiner has failed to establish a prima facie case of obviousness under 35 U.S.C. § 103. The rejection is therefore improper and should be withdrawn.

Respectfully submitted,

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DATE

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